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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/909,553	07/20/2001	Terence F. Kelly	067808:0113	2566

22922 7590 01/13/2005

REINHART BOERNER VAN DEUREN S.C.
ATTN: LINDA GABRIEL, DOCKET COORDINATOR
1000 NORTH WATER STREET
SUITE 2100
MILWAUKEE, WI 53202

EXAMINER	
AMINI, JAVID A	

ART UNIT	PAPER NUMBER
2672	

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/909,553	KELLY ET AL.	
	Examiner	Art Unit	
	Javid A Amini	2672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 October 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-5,7-9,11,13,14,16,17 and 19-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *Oct. 08, 2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 08, 2004 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3-5, 7-9, 11,13-14, 16-17 and 19-29 rejected under 35 U.S.C. 103(a) as being unpatentable over Shelton, and further in view of Ryan et al (hereinafter referred as a Ryan).

1. Claim 1.

Shelton in fig. 2 illustrates obtaining data including a video camera data box 82 into base computer box 88 and in fig. 7A illustrates a location see number 409 at the certain time, which is similar to the following step (a): "obtaining a time-lapse photography video image sequence of changing sky conditions over a selected time period; Shelton in fig. 5B is a schematic diagram of an alternate embodiment of the computer-based multi-station weather data collecting and reporting system of fig. 1, wherein the output of the base computer, instead of being processed for and broadcast to television viewers, is sent to a multiple video source unit which

is, in turn, accessed by multiple local and/or remote end users. Multiple video source units are used to arrange the order the video signals, from different video sources, sent to television distribution systems. Data can be distributed from each site via global satellite transmission. Network users choose from a cross sampling of each national or regional site. This differs from the direct television broadcast in that the broadcaster dials up his site and is limited to it. This allows a user to pull down data without phone transmission. It is designed for cable/satellite users, which has a similar concept to the following steps (b and c): "recording weather information over the selected time period; generating in a computer a dynamic graphical information presentation of changing weather conditions over the selected time period from the recorded weather information; Shelton in col. 3 lines 20-34 teaches pictures can be stored images or real time images being collected with a video camera at the same time as the weather data is being collected. In this fashion, the system is capable of providing end users with high information content weather images, for example, temperature, rainfall, wind speed and barometric data (in alphanumeric and/or graph expression) superimposed upon a satellite picture of the region in question, or some other picture of interest (e.g., real time or taped video of the rain falling; wind blowing snow, rain or trees; snow drifts; snow control teams in action; hurricanes; tornados; earthquakes; etc.) see following step (d) of the claim: combining the dynamic graphical information presentation with the time-lapse photography video image sequence in a time synchronized manner to form a combined graphical information and time-lapse photography presentation in which both the time lapse video image sequence, the dynamic graphical information presentation change dynamically when the combined graphical information and time lapse photography presentation is played to show simultaneously time

synchronized dynamically changing sky conditions and weather conditions over the selected time period". It would have been obvious to a person skill in the art to recognize the time synchronization between video object and the other weather data. In this case the reference Shelton in col. 2 teaches that each weather station normally includes some or all of the following instruments for sensing different weather parameters and the like: thermometer, humidity gauge, barometer, anemometer, rain gauge, water temperature sensor, snow depth gauge, cloud scanner, earthquake sensor, video camera. Each weather station will normally include one or more analog to digital converters to convert the normally analog signals from the weather sensors into digital signals capable of being stored and manipulated by the base computer. Often one of the weather stations in each system will be connected directly to the base computer, to measure weather conditions at the base, whereas the other weather stations will be positioned at locations remote from the base computer. The remote weather stations communicate with the base computer via voice quality telephone lines, either permanently opens telephone line or a dial up line. Data is stored on a minute-by-minute basis for the entire period during which communication from the base to the remote weather station occurs. If a remote site has a computer, it will download its data files for any time period (such as hour, day, etc.) requested by the base site via phone line/modem. Computer at base site can then process data. However Ryan in paragraph 0067 teaches as shown in fig. 2(B), the "Home" menu item contains links to "Home Page," "Site Map," and "Site Search." The "Forecasts & Maps" menu item preferably contains links to "Local Weather," "World Weather," "School day Forecasts," "Audio/Video forecasts," and "Weather Maps." Ryan in paragraph 0109 teaches a preferred system according to the Ryans' invention allows for the delivery of dynamic content to

consumers. Ryan in paragraph 0123 retrieved dynamic data using Java scriplets. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Ryan into Shelton in order to take an advantage of Ryans' java scriplets that would be beneficial to users.

2. Claim 3.

See rejection of claim 1. Ryans' java scriplets would be beneficial to the following step: "combining the time-lapse photography video image sequence and the dynamic graphical information presentation in a time synchronized manner includes the step of time synchronizing the time-lapse photography video image sequence and the dynamic graphical information presentation such that the perceived speed of both the time-lapse photography video image sequence and of the dynamic graphical information presentation accelerates at a beginning of the combined graphical information and time-lapse photography presentation and decelerates at an end of the combined graphical information and time-lapse photography presentation at the same rate".

3. Claims 4 and 5.

Ryan in figs. 12 illustrates the step of "combining a time-lapse clock display with the combined graphical information and time-lapse photography presentation"; "generating the dynamic graphical information presentation includes the step of generating the time-lapse clock display".

4. Claims 7-9, 11,13-14, 16-17 and 19-29.

See rejection of claim 1.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javid A Amini whose telephone number is 703-605-4248. The examiner can normally be reached on 8-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 703-305-4713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Javid A Amini
Examiner
Art Unit 2672

Javid Amini

JEFFERY BRIER
PRIMARY EXAMINER